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To: 'microsoft.atr(a)usdoj.gov'
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Subject: microsoft settlement

as a US citizen i feel that the proposed microsoft settlement poses a grave danger to the future of not only the software and computing industry in this country but also to the wellbeing of the consumer public which are, and will continue to be victimized by the monopolistic hold this company currently has over the general market. I have seen the boom of the internet from an eccentric cluster of interconnected 'geek' experiments to the current global interface of billions upon billions of individual webpages. throughout this period i have also witnessed the breadth, influence, and power of the microsoft corporation expand to engulf virtually every facet of our lives, extending amoral market practices into niches opening far more avenues of venue than our current legal system was, or is currently capable of keeping pace with. the current proposal for settlement of this issue does little to hinder microsoft's ruthless ingenuity in circumventing imposed limitations to its illegitimate market ethics. i am not an expert in the field, nor am i a legal analyst, but rather a concerned denizen, and consumer. i see the future of the computing industry one of almost hopeless promise as empowerment has continually been taken away from the consumer over products (both hardware and software) he/she has purchased, yet has a right to utilize via the fair use doctrine. as a proof of microsoft's continual discriminatory practices, as well as corporate mindset i will quote a section of the EULA for 'The Microsoft Windows Media Encoder 7.1 SDK:'

... you shall not distribute the REDISTRIBUTABLE COMPONENT in conjunction with any Publicly Available Software. "Publicly Available Software" means each of (i) any software that contains, or is derived in any manner (in whole or in part) from, any software that is distributed as free software, open source software (e.g. Linux) or similar licensing or distribution models ... Publicly Available Software includes, without limitation, software licensed or distributed under any of the following licenses or distribution models, or licenses or distribution models similar to any of the following: GNU's General Public License (GPL) or Lesser/Library GPL (LGPL); The Artistic License (e.g., PERL); the Mozilla Public License; the Netscape Public License; the Sun Community Source License (SCSL); ...

as i stated before i am not an expert in the field, and as such this e mail should not be weighed by my evidence, but rather by the concern of an 'average citizen' that feels the proposed settlement will do little to change microsoft's influence on my life.

that is all.

-william fischer

